

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

TRUSTEES OF THE UNIVERSITY OF  
PENNSYLVANIA and NOVARTIS  
PHARMACEUTICALS CORPORATION,

Plaintiffs,

v.

ST. JUDE CHILDREN'S RESEARCH  
HOSPITAL, INC. and JUNO  
THERAPEUTICS, INC.,

Defendants.

Civil Action No. 2:13-cv-01502-SD

**NOVARTIS PHARMACEUTICAL CORPORATION'S  
RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

Plaintiff Novartis Pharmaceuticals Corporation ("Novartis") opposes the motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) filed by defendant Juno Therapeutics, Inc. (D.I. 72) and joined by defendant St. Jude Children's Research Hospital, Inc. (D.I. 75), for the reasons set forth in Novartis' accompanying memorandum of law.

Respectfully submitted,

Novartis Pharmaceuticals Corporation

Dated: March 26, 2014

/s/ Madeline M. Sherry

Madeline M. Sherry  
GIBBONS P.C.  
1700 Two Logan Square  
18th & Arch Streets  
Philadelphia, PA 19103-2769  
Phone: 215-446-6201  
Fax: 215-446-6311

David K. Barr (*pro hac vice*)  
KAYE SCHOLER LLP  
425 Park Avenue  
New York, NY 10022-3598  
Phone: 212-836-7560  
Fax: 212-836-6560

*Attorneys for Plaintiff Novartis  
Pharmaceuticals Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 26, 2014, I caused a true and correct copy of Novartis Pharmaceuticals Corporation's Response in Opposition to Defendants' Motion to Dismiss and Memorandum in Opposition to Defendants' Motion to Dismiss be filed with the Clerk of the Court for the Eastern District of Pennsylvania, and a copy was served on the following counsel via the Court's electronic filing ("ECF") system.

Abraham C. Reich, Esq. (areich@foxrothschild.com)  
Robert S. Tintner, Esq. (rtintner@foxrothschild.com)  
Fox Rothschild LLP  
2000 Market Street, 20th Floor  
Philadelphia, PA 19103-3222

Morgan Chu, Esq. (mchu@irell.com)  
Alan J. Heinrich, Esq. (aheinrich@irell.com)  
Andrei Iancu, Esq. (aiancu@irell.com)  
Amir Naini, Esq. (anaini@irell.com)  
Melissa Sedrish Rabbani, Esq. (mrabbani@irell.com)  
Irell & Manella LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, CA 90067-4276

*Attorneys for Juno Therapeutics, Inc.*

Daniel Segal, Esq. (dsegal@hangley.com)  
Hangley Aronchick Segal Pudlin & Schiller  
One Logan Square  
18th & Cherry Streets, 27th Floor  
Philadelphia, PA 19103-6933

Alan E. Friedman, Esq. (aefriedman@foley.com)  
Foley & Lardner LLP  
555 South Flower Street, Suite 3500  
Los Angeles, CA 90071-2411

Kelsey I. Nix, Esq. (knix@jonesday.com)  
Glenn L. Krinsky, Esq. (glkrinsky@jonesday.com)  
Jones Day  
222 East 41st Street  
New York, NY 10017

*Attorneys for St. Jude Children's Research Hospital*

Eric Kraeutler, Esq. (ekraeutler@morganlewis.com)  
John V. Gorman, Esq. (jgorman@morganlewis.com)

Deborah W. Frey, Esq. (dfrey@morganlewis.com)  
Aaron V. Skrypski, Esq. (askrypski@morganlewis.com)  
MORGAN, LEWIS & BOCKIUS LLP  
1701 Market Street  
Philadelphia, PA 19103-2921

*Attorneys for Trustees of the  
University of Pennsylvania*

/s/ Madeline M. Sherry

Madeline M. Sherry